

Paper No. 1492  
Disposes of  
Oral Application  
made in Chambers

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al	) ORDER
	) GRANTING PERMISSION
- vs -	) TO REOPEN THE
	) INDIVIDUAL CASE OF
ARAKI, Sadao, et al	) ACCUSED ARAKI, Sadao
	) AND DENYING REVIEW
	) OF TRIBUNAL'S PRE-
	)VIOUS DECISION
	) REJECTING DOCUMENTS

This matter coming on for decision by the Tribunal in open court this 8th day of January, 1948, upon the oral application made in Chambers on the 7th day of January 1948, by the Accused ARAKI, Sadao through his counsel of record, for permission of the Tribunal to reopen his individual case

- (a) for the purpose of presenting additional evidence; and
- (b) for reconsideration by the Tribunal of its previous rulings rejecting certain documents offered in evidence on behalf of said Accused ARAKI during the presentation of his individual case;

counsel for said Accused ARAKI having submitted orally the nature of the evidence proposed to be offered in the event said application should be granted and the previous rulings of the Tribunal for which reconsideration is requested, and the President of the Tribunal having waived the rules for the purpose of having said application recorded as an ordinary application in Chambers to which counsel for the Prosecution has interposed no objection, all of which is fully set forth in the record of the proceedings in Chambers on the 7th day of

January, 1948, reference to which is hereby made;

And the Tribunal having heard the statements and arguments of counsel for said Accused ARAKI and the Prosecution, and being fully advised in the premises, it is

ORDERED: That the individual case of said Accused ARAKI, Sadao, may be reopened for the purpose of offering further evidence in reply to the supplementary affidavit of the witness TAKEBE offered by the Prosecution on the 27th day of October, 1947, and admitted in evidence as Exhibit 3371 at a time subsequent to the conclusion of the individual case of said Accused ARAKI; and it is further

ORDERED: That the application to reconsider the previous decisions of this Tribunal wherein documents offered on behalf of said Accused ARAKI were rejected be and the same hereby is denied; and it is further

ORDERED: That all objections which the Prosecution may have to the admission in evidence of any further evidence offered on behalf of said Accused ARAKI are reserved to the Prosecution, subject to being made at such time as said affidavits are offered in evidence.

BY THE TRIBUNAL:

(signed) W. F. Webb  
PRESIDENT

All Members of the  
Tribunal Sitting